

## UNITED STATES DISTRICT COURT

for the  
Western District of Washington

In the Matter of the Search of

(Briefly describe the property to be searched  
or identify the person by name and address)

SUBJECT PARCEL, bearing tracking No.

9570 1107 4711 2293 1048 02 more fully described in

Attachment A

Case No. MJ22-516

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, incorporated herein by reference

located in the \_\_\_\_\_ Western \_\_\_\_\_ District of \_\_\_\_\_ Washington \_\_\_\_\_, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

Offense Description

21 U.S.C. § 841

Possession with intent to Distribute Controlled Substances &amp; Unlawful use of a

21 U.S.C. § 843

Communication Facility, including the U.S. mails, to Distribute Controlled Substances

The application is based on these facts:

☒ See Affidavit of Postal Inspector Michael Fischlin, continued on the attached sheet.

☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☒ by reliable electronic means; or: ☐ telephonically recorded.



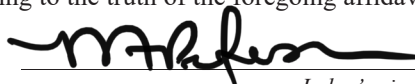
Applicant's signature

Michael Fischlin, Postal Inspector (USPIS)

Printed name and title

- ☐ The foregoing affidavit was sworn to before me and signed in my presence, or
- ☒ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 10/24/2022



Judge's signature

City and state: Seattle, Washington

Michelle L. Peterson, United States Magistrate Judge

Printed name and title

**ATTACHMENT A**

Parcel to be searched

**SUBJECT PARCEL:** One Express Mail parcel addressed to “Ashton Colts, 1917 E 60<sup>th</sup> St, Tacoma, WA 98404” with a return address of “Amber Woods, 832 Parkbrook Trail, Birmingham, AL 35215.” This parcel measures approximately 15” x 9” x 8” with a weight of approximately 2 pounds, 9 ounces. The SUBJECT PARCEL is postmarked October 20, 2022, from zip code 35242 in Birmingham, AL, and carries \$64.50 in postage. The delivery confirmation number is 9570 1107 4711 2293 1048 02.

The SUBJECT PARCEL is currently in the custody of the USPIS located at 10700 27<sup>th</sup> Ave S, Seattle, Washington.

**ATTACHMENT B**

Items to be seized

The following items that constitute evidence, instrumentalities, or fruits of violations of Title 21, United States Code, Section 841(a)(1), distribution and possession with intent to distribute controlled substances, and Section 843(b), unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substances:

- a. Controlled substances, including, but not limited to, cocaine, fentanyl, heroin, hashish, marijuana, methamphetamine, 3,4-methylenedioxy-methamphetamine ("MDMA"), oxycodone, and oxycontin;
- b. Monetary instruments, including but not limited to, currency, money orders, bank checks, and gift cards;
- c. Controlled substance-related paraphernalia;
- d. Documentary evidence relating to the purchase, sale, and/or distribution of controlled substances;
- e. Notes, letters, and other items which communicate information identifying the sender and/or recipient or pertaining to controlled substances or their distribution; and
- f. Fingerprints and/or handwriting, to identify who handled and/or mailed the parcel.

1 STATE OF WASHINGTON )  
2 ) ss  
3 COUNTY OF KING )  
4

5 **AFFIDAVIT**

6 I, Michael Fischlin, being first duly sworn on oath, depose and say:

7 **AFFIANT BACKGROUND**

8 1. I am a United States Postal Inspector, assigned to investigate the unlawful  
9 transportation of contraband, including Title 21 controlled substances, through the United  
10 States Mail. I have been employed as a Postal Inspector since June 2016 and am  
11 currently assigned to Seattle Division Headquarters, located in Seattle, Washington. As  
12 part of my duties, I investigate the use of the United States Postal Service (“USPS”) to  
13 illegally mail and receive controlled substances, the proceeds of drug trafficking, and  
14 instrumentalities associated with drug trafficking, in violation of Title 21, United States  
15 Code, Sections 841(a)(1) (distribution and possession with intent to distribute controlled  
16 substances) and 843(b) (unlawful use of a communication facility, including USPS, to  
17 facilitate the distribution of controlled substances).

18 2. I have attended both the United States Postal Inspection Service (“USPIS”)  
19 Basic Prohibited Mailings Narcotics course and the USPIS Contraband Interdiction and  
20 Investigations Advanced training course where I received specialized training in the  
21 investigation of controlled substances in the United States mails. I have received training  
22 on the identification of controlled substances, interdiction of controlled substances, and  
23 proceeds thereof. I have also become familiar with methods used by individuals to hide,  
24 convert, or otherwise conceal illicit narcotics proceeds, and the efforts of persons  
25 engaged in transportation and laundering of illicit proceeds to avoid detection,  
26 apprehension, and seizure by law enforcement.  
27  
28

1           3.       The information contained in this affidavit is based upon knowledge I  
 2           gained from my investigation, my personal observations, my training and experience, and  
 3           investigation by other inspectors, agents, and officers. Because the purpose of this  
 4           affidavit is limited to setting forth probable cause to search the parcel identified below, I  
 5           have not set forth every fact of which I am aware pertaining to the investigation. Rather,  
 6           I have included only those facts relevant to the determination of probable cause.

#### 8                               **PURPOSE OF AFFIDAVIT**

9           4.       As set forth in Attachment A, this affidavit is made in support of an  
 10          application for a search warrant for one USPS Express Mail parcel (the “SUBJECT  
 11          PARCEL”). The parcel is believed to contain controlled substances or proceeds from the  
 12          sale of controlled substances. The SUBJECT PARCEL is further described as follows:

13               **SUBJECT PARCEL:** One Express Mail parcel addressed to “Ashton Colts, 1917  
 14               E 60<sup>th</sup> St, Tacoma, WA 98404” with a return address of “Amber Woods, 832  
 15               Parkbrook Trail, Birmingham, AL 35215.” This parcel measures approximately  
 16               15” x 9” x 8” with a weight of approximately 2 pounds, 9 ounces. The SUBJECT  
 17               PARCEL is postmarked October 20, 2022, from zip code 35242 in Birmingham,  
 18               AL, and carries \$64.50 in postage. The delivery confirmation number is 9570  
 19               1107 4711 2293 1048 02.

20               The SUBJECT PARCEL is currently in the custody of the USPIS located at 10700  
 21          27<sup>th</sup> Ave S, Seattle, Washington.

#### 22                               **SUMMARY OF PROBABLE CAUSE**

##### ***This Investigation***

24           5.       On October 21, 2022, U.S. Postal Inspectors were performing an Express  
 25          Mail interdiction at the USPS mail facility located at the Seattle Processing and  
 26          Distribution Center, 10700 27<sup>th</sup> Ave S, Seattle, Washington. The interdiction was  
 27  
 28

1 targeting inbound Express parcels suspected of containing controlled substances and/or  
2 proceeds from the distribution of controlled substances.

3         6. During the interdiction, the SUBJECT PARCEL was identified for further  
4 inspection. Based on my training and experience, the SUBJECT PARCEL exhibits many  
5 of the characteristics of parcels containing controlled substances and/or proceeds from  
6 the distribution of controlled substances. Specifically, the SUBJECT PARCEL bears a  
7 handwritten label that waives any signature requirement, bears excessive tape, lacks a  
8 phone number for either the sender or recipient, originates in a different zip code than  
9 what the sender wrote on the return address, and postage was paid in cash. I know  
10 through my training and experience that these are tactics commonly used by drug  
11 traffickers using the U.S. mails in an attempt to elude detection by law enforcement.  
12

13         7. Furthermore, the SUBJECT PARCEL was shipped from Birmingham,  
14 Alabama to Tacoma, Washington. I know through my training and experience that  
15 Alabama is a destination state for marijuana parcels shipped from the source state of  
16 Washington. Alabama is not a state in which possession of recreational marijuana is  
17 lawful. Washington drug distributors often collect payment for marijuana sales through  
18 Express and/or Priority Mail parcels shipped to Washington. Furthermore, I know that  
19 drug traffickers will often pay for postage with cash in to avoid detection by law  
20 enforcement.  
21

22         8. On October 21, 2022, the SUBJECT PARCEL was removed from the mail  
23 stream in Seattle, Washington for further investigation.

24         9. Using USPS and law enforcement databases, I researched the sender's  
25 name and address listed on the SUBJECT PARCEL. That research reflects the address  
26 "832 **Park Brook** Trail, Birmingham, AL 35215" is a true and deliverable address. An  
27 individual by the name of "Amber Woods" is **not** associated with "832 Park Brook Trail,  
28 Birmingham, AL 35215." Furthermore, open-source research revealed the sender's

1 address is for the Clay Landings Apartments. No apartment number was included for the  
2 sender's address.

3 10. Using USPS and law enforcement databases, I researched the recipient's  
4 name and address. I learned the address "1917 E 60<sup>th</sup> St, Tacoma, WA 98404" is a true  
5 and deliverable address. An individual by the name of "Ashton Colts" **is not** associated  
6 with "1917 E 60<sup>th</sup> St, Tacoma, WA 98404." USPS business records showed that two  
7 additional Express Mail parcels had been sent from Birmingham, Alabama, to this  
8 address since June 2022. The postage for these parcels was paid in cash.  
9

10 11. Based upon this information, on October 21, 2022, I requested the  
11 assistance of Tukwila Police Department ("TPD") Detective J. Sturgill and his canine  
12 partner Apollo. TPD Detective Sturgill applied Apollo, a narcotic-detecting canine to a  
13 warehouse to clear it of any odors of narcotics. Once the warehouse was cleared, I placed  
14 the SUBJECT PARCEL in the warehouse. TPD Detective Sturgill then applied Apollo to  
15 the warehouse. TPD Detective Sturgill observed a change in behavior when Apollo  
16 encountered the SUBJECT PARCEL. Apollo stopped, had a change in behavior, and sat,  
17 indicating the positive odor of narcotics emitting from the SUBJECT PARCEL. TPD  
18 Detective Sturgill's affidavit describing Apollo's training and qualifications is attached to  
19 this affidavit and incorporated herein by reference.  
20

21 ***Knowledge Based on Training and Experience***

22 12. Through my training and experience, I am aware that USPS is often used to  
23 transport controlled substances, controlled substances-related paraphernalia, and/or the  
24 proceeds from the sales of controlled substances throughout the United States. I have  
25 learned and observed that sometimes drug traffickers mail controlled substances and  
26 proceeds in the same parcel. I am also aware that proceeds from the sales of controlled  
27 substances are transported in the form of cash, money orders, and other monetary  
28 instruments. I am aware that cash, as well as money orders purchased with cash, are

1 desirable forms of payment for drug traffickers, given that they are difficult for law  
2 enforcement to track.

3 13. I also know that drug traffickers prefer delivery services such as USPS  
4 Express and Priority Mail because of the reliability of these services and the ability to  
5 track the article's progress to the intended delivery point. When a drug trafficker learns  
6 that a mailed article has not arrived as scheduled, he/she becomes suspicious of any  
7 delayed attempt to deliver the item.

8 14. In addition, I am aware that the USPS Express and Priority Mail services  
9 were custom-designed to fit the needs of businesses by providing overnight delivery for  
10 time-sensitive materials. Business mailings often contain typewritten labels, are in flat  
11 cardboard mailers, and usually weigh less than eight (8) ounces. Businesses often use  
12 corporate charge accounts and/or print their account number on the Express and Priority  
13 Mail label to expedite transactions with USPS.

14 15. Based on my training and experience concerning the use of Express and  
15 Priority Mail for the transportation of controlled substances and/or the proceeds from the  
16 sales of controlled substances, I am aware that these parcels usually contain some or all  
17 the following characteristics (which are different than characteristics of parcels being sent  
18 by legitimate businesses):  
19

20 a. Unlike typical Express and Priority Mail business mailings which  
21 usually have typed labels, parcels containing controlled substances and/or proceeds often  
22 have handwritten address information. In addition, the address information often  
23 contains misspelled words or incomplete/incorrect addresses. This appears to be done to  
24 help conceal the true identities of the individuals involved.

25 b. The handwritten label on Express and Priority Mail parcels  
26 containing controlled substances and/or proceeds often does not contain a business  
27 account number and/or credit card number. This is an indication that the sender likely  
28



1 paid cash. A credit card or business account number would more likely enable law  
2 enforcement officers to connect the parcel to identifiable individuals.

3 c. Express and Priority Mail parcels containing controlled substances  
4 and/or proceeds often stand out from typical business mailings as they do not bear any  
5 advertising on the mailing container/box and are usually being mailed from one  
6 individual to another.

7 d. The sender and/or recipient addresses on Express and Priority Mail  
8 parcels containing controlled substances and/or proceeds often are either fictitious or  
9 persons not known to postal personnel familiar with the addresses listed.

10 e. The zip codes for the sender addresses on Express and Priority Mail  
11 parcels containing controlled substances and/or proceeds often are different from the zip  
12 codes of the post offices from where the parcels were mailed.

13 f. Express and Priority Mail parcels containing controlled substances  
14 and/or proceeds are often heavily taped on their seams to conceal scent.

15 g. Express and Priority Mail parcels containing controlled substances  
16 and/or proceeds often include a waiver of signature.

17 16. Inspectors who encounter a parcel with any or all the above characteristics  
18 often further scrutinize the parcel by, among other tactics, conducting address  
19 verifications and using a trained narcotic-detecting canine.

20 17. Based on my training and experience I know that a parcel may contain  
21 evidence of who handled and/or mailed the parcel, which might consist of notes, letters or  
22 other items of communication from the sender to the recipient, fingerprints, or other  
23 items with handwriting on them. I know based on my training and experience that all of  
24 this material might constitute evidence of the crimes under investigation.  
25  
26  
27  
28

**GOVERNMENT REQUESTS**

18. The application requests that law enforcement officers and agents be authorized to seize the following from the SUBJECT PARCEL, which constitute the fruits, instrumentalities, and evidence of mailing and distribution of controlled substances in violation of Title 21, United States Code, Sections 841(a)(1) (distribution and possession with intent to distribute controlled substances) and 843(b) (unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substances):

a. Controlled substances, including, but not limited to, cocaine, fentanyl, heroin, hashish, marijuana, methamphetamine, 3,4-methylenedioxy-methamphetamine ("MDMA"), oxycodone, and oxycontin;

b. Monetary instruments, including, but not limited to, currency, money orders, bank checks, and gift cards;

c. Controlled substance-related paraphernalia;

d. Documentary evidence relating to the purchase, sale, and/or distribution of controlled substances;


e. Notes, letters, and other items which communicate information identifying the sender and/or recipient, or pertaining to controlled substances or their distribution; and

f. Fingerprints and/or handwriting, to identify who handled and/or mailed the parcel.

19. Because this warrant seeks permission to examine a package already in law enforcement's possession, the execution of this warrant does not involve the physical intrusion onto a premises. Consequently, I submit there is reasonable cause for the Court to authorize execution of the warrant at any time in the day or night.

**CONCLUSION**

20. Based on the facts set forth in this Affidavit, I believe there is probable cause to conclude that the SUBJECT PARCEL contains controlled substances, documents, or other evidence, more fully identified in Attachment B, related to the mailing and distribution of controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) (distribution and possession with intent to distribute controlled substances) and 843(b) (unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substances).



MICHAEL FISCHLIN

United States Postal Inspector

The above-named agent provided a sworn statement attesting to the truth of the contents of the foregoing affidavit by telephone on this 24th day of October 2022.



HON. MICHELLE L. PETERSON

United States Magistrate Judge

**Tukwila Police Department  
Anti-Crime Team K-9**

Detective James Sturgill  
October 21, 2022

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**DETAILS**

On October 21, 2022, at 1145 hours, I, Tukwila Police Detective J. Sturgill, assisted USPIS with a suspicious parcel at the Seattle Processing and Distribution Center located at 10700 27th Avenue South, Seattle, Washington 98168. I first used my canine partner (Apollo) to search a warehouse to clear it of any odors of narcotics. USPIS Inspector M. Fischlin then placed the suspicious parcel in the warehouse out of the view of Apollo and I. At approx. 1155 hours, Apollo and I started the search for the suspicious parcel by sniffing the warehouse in a systematic manner. Upon encountering the parcel, Apollo stopped, had a change of behavior, and sat. When Apollo sits, it's an indication to me that he could smell the odor of narcotics coming from the parcel. I rewarded Apollo with a rubber ball. At approx. 1157 hours, Apollo alerted on the following parcel:

**Tracking #: 9570 1107 4711 2293 1048 02**

**Sender: Amber Woods, 832 Parkbrook Trail, Birmingham, AL 35215**

**Recipient: Ashton Colts, 1917 E 60<sup>th</sup> St, Tacoma, WA 98404**

This concludes my involvement in the case.

**OFFICERS TRAINING/EXPERIENCE**

I, James Sturgill have been a commissioned law enforcement officer for the past eighteen years. I am employed by the City of Tukwila and have been assigned to the Tukwila Anti-Crime Team; I am currently the K-9 Narcotic's Detective assigned to that unit. From 2014 to 2016, I was a Task Force Officer with the DEA on the Valley Narcotics Enforcement Team (VNET). From 2018 to 2020, I was a Task Force Officer with the United States Postal Service. During my career, I have investigated several narcotics-related crimes in and around the City of Tukwila.

My current duties include investigating federal and state narcotics violations within the jurisdiction of the County of King, the State of Washington, and the United States.

During my career, I have received extensive training to include: 720 hours at the Washington State Criminal Justice Training Center's Basic Law Enforcement Academy. This training includes numerous hours of instruction on Criminal Law, Property Crimes, Crimes against Persons, basic report writing, Narcotics Investigations and recognition (including the recognition of marijuana, cocaine, heroin and



methamphetamine). I have received further training to assist me with narcotics investigations and arrests. In 2006, I received 48 hours of Gang Investigation and Street Crimes training. These courses included gang and narcotic recognition, buy bust operations, surveillance and interview techniques, how narcotics are transported and where narcotics can be hidden in vehicle's, homes, and in humans. In 2013, I received 24 hours of similar training by attending Gangs in the Northwest and Street Survival. I also attended How to Manage a CI in 2013. This course focused on how to interview suspects of narcotics related offenses and how to turn that person into a confidential informant. This course included interview techniques and basic search warrant preparation and service. In 2014, 2015 and 2018, I received nationally recognized narcotics training provided by California Narcotics Officers Association (CNOA). In 2014, 2015 and 2018 I received nationally recognized narcotics training provided by Washington State Narcotics Investigators Association (WSNIA). Both CNOA and WSNIA are 4-day classroom courses containing numerous narcotic related classes. In 2015 and 2018, I attended Operation Jetway Interdiction training. This 32-hour classroom course is conducted by EPIC/DEA and focuses on the many ways that police officers can interdict drugs and drug proceeds from DTO's. In 2017 and 2019, I received 32 hours of classroom interdiction training with the nationally recognized International Narcotics Interdiction Association (INIA). In 2016, I completed the 200-hour Washington State Narcotic's Canine Course. During the 6-week course, my canine partner "Apollo" was trained to identify and alert on the odors of Cocaine, Heroin, Methamphetamine and Marijuana. During the early part of my career, I worked numerous cases with the Tukwila Anti-Crime (TAC) Team, working as a uniformed take down officer. I assisted the TAC Team with several buy walks and buy busts during my career. I also personally investigated numerous VUCSA cases while working as a patrol officer in the City of Tukwila.

By virtue of my assignment with the TAC Team, I am authorized to conduct investigations into violations of the Controlled Substances Act. In doing so, I have conducted a variety of investigations into violations ranging from simple possession of narcotics to the sales of narcotics. Because of this experience and training, I am familiar with common methods of investigating drug trafficking and have become familiar with the methods of operation of drug traffickers, their use of cellular telephones, telephone pagers, emails, and other electronic means of communication to further their narcotics trafficking activities; and their use of numerical codes, code words, counter-surveillance, and other methods of avoiding detection by law enforcement. I am also familiar with the various methods of packaging, delivering, transferring, and laundering.

I have participated in the execution of narcotics search warrants. Most commonly, these warrants authorize the search of locations ranging from the residences of drug traffickers and their coconspirator/associates, to locations used to manufacture, distribute and hide narcotics and drug proceeds. Materials searched for and often recovered in these locations include packaging materials, manufacturing items, scales, weapons, documents and papers reflecting the distribution of controlled substances and the identity of coconspirator associates, and papers evidencing the receipt, investment, and concealment of proceeds derived from the distribution of controlled substances.

## **CANINE QUALIFICATIONS**

I'm currently assigned to the Tukwila Anti-Crime Team and handle a narcotics canine as a collateral duty. In November 2016, I completed the state mandated requirement of 200 hours of canine narcotics specific training and met the canine performance standards set by the Washington Administrative Code (W.A.C.) 139-05-915 for the Narcotic Dog Handler (General Detection).

On November 13, 2016 Canine "Apollo" and I were certified as a team by the Washington State Police

Canine Association. We recertified on January 8th, 2019 in Bothell, WA. The WSPCA is an organization with voluntary membership to improve training and effectiveness of canine teams statewide. The WSPCA certification is also voluntary with more stringent standards than the state requirement. The substances trained on by the team are cocaine, heroin, methamphetamine and marijuana.

Apollo is a passive alert canine and he is trained to give a "sit response" after having located the specific location the narcotics odor is emitting from. The handler is trained to recognize the changes of behavior the canine exhibits when it begins to detect the odor of narcotics. The odor can be emitting from the controlled substance itself, or it can be absorbed into items such as currency, clothing, containers, packaging material, etc. Narcotic smelling canines such as "Apollo" have an inherently keen sense of smell and will continue to alert on the container or item depending on the length of exposure to the controlled substance, and the amount of ventilation the item is exposed to.

Apollo's reward for finding narcotics / narcotic related items is a rubber ball or leather strap. Apollo and I continue to train on a regular basis to maintain our proficiency as a team.

On-going training includes or will include:

- Training in all areas of interdiction, such as vehicles, boats, truck tractor and trailers, schools, currency, parcels and mail, airports and airplanes, bus and bus depots, storage units, residences, trains and train depots, prisons, motels, apartments, etc.
- Training on various quantities of controlled substances, ranging from grams to ounces, and pounds when available.
- Training on novel odors, such as odors that are distracting, masking, or new.
- Training on controlled negative (blank) testing, in which all objects or locations have no contraband present
- Training in "Double Blind" scenarios
- Extinction training, which proofs the dog and prevents him from alerting to common items associated with controlled substances, such as plastic bags, etc.

I maintain both training logs and field activity/application reports. Both are available for review upon request. At this time the team has found over 1000 narcotics substance training aids and 226 applications in the field resulting in the seizure of narcotics and currency.

Canine Apollo is trained to detect the presence of marijuana, heroin, methamphetamine, and cocaine. Canine Apollo cannot communicate which of these substances he has detected. Canine Apollo can detect minuscule amounts of these four substances. Canine Apollo cannot communicate whether the detected substance is present as residue or in measurable amounts. Despite these limitations, canine Apollo's alert provides probable cause to believe that evidence of a Violation of a Uniform Controlled Substance Act may be found where the canine provides a positive alert for the odor of controlled substances.

I certify or swear under the penalty of perjury the foregoing statement is true and correct.

Detective James C. Sturgill  
Tukwila Police TAC Team  
Badge #151

A handwritten signature in black ink, appearing to read 'James C. Sturgill', written in a cursive style.